# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Attorney Docket No.: 126551.08

Application No.: Not yet assigned

Filed: Herewith Customer No.: 22971

Title: An Adaptive Flow Control Protocol

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

# STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

# PART I: Compliance with 37 C.F.R. § 1.97

Since this IDS is being filed concurrently with the filing of a Continuation application, it is believed no fees are required. If any fees are required, however, the Commissioner is hereby authorized to charge the required fees, or credit any overpayments, to Deposit Account No. 50–0463.

# PART II: Additional Information

The above-identified U.S. application claims priority to application Serial No. 09/844,098. If the Examiner has not had the benefit of review of the file history of 09/844,098, then the Applicant respectfully requests that the Examiner contact the undersigned, who will provide a copy of the same.

The Applicant would like to bring to the Examiner's attention the following copending applications that may contain subject matter related to this application: Serial No. Filing Date Inventor(s)

09/844,098 04/27/2001 Vadim Eydelman, Khawar M.

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### PART III: Remarks

Applicant requests that the Office consider the references listed on the attached copies of PTO Form(s) PTO/SB/08A and 08B in compliance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. Applicant previously submitted the PTO/SB/08A and 08B and the references listed thereon in the parent application (09/844,098) of the above-identified application. Since the listed references were submitted in the parent application and considered by the Office, additional copies of these references are not being provided herewith.

Applicant requests that the Office consider the references listed on the attached copies of PTO Form(s) PTO-892 entitled "Notice of References Cited" (892 Form") in compliance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. The Office considered and cited the references on the 892 Form(s) in connection with one or more Office Actions issued in a parent application (U.S. Application Serial No. (09/844,098) of the above-identified application. Since the Office obtained and considered the cited references in the parent application, copies of the references are not being provided herewith.

It is respectfully requested that:

- The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The citations for the information be printed on any patent which issues from this application.

ATTORNEY'S DOCKET NO: 126SS1.08

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statement by the Applicant, the Applicant urges the Examiner to form his own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Respectfully submitted,
Microsoft Corporation, Applicant

James R. Banowsky, Reg. No. 37,773

Microsoft Corporation / Telephone (425) 705.3539

Dated: October 12, 2005

#### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

 @ deposited with the United States Postal Service via Express Mail (EV 671530175 US) on the date shown below with sufficient postage in an envelope addressed to: Commissioner for Patents, P. O. 80x 1450, Mexandria, VA 22313−1450

October 12, 2005

Date

James R. Banowsky
Type or Print Name

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Notice of References Cited

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A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

Notice of References Cited

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